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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/379,104	08/23/1999	YOSHINORI NAKAYAMA	500.35669CX1	9870

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EXAMINER	
NGUYEN, NGA B	
ART UNIT	**PAPER NUMBER**
3628	

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/379,104	NAKAYAMA ET AL.	
	Examiner	Art Unit	
	Nga B. Nguyen	3628	MG

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 April 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 3, 2003, has been entered.

2. Claims 10-20 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirotaka, Japanese Patent No. 8106439 in view of Computer Product Update Journal, and further in view of Hotaling et al (hereinafter Hotaling), U.S. Patent No. 5,124,912.

Regarding to claim 10, Hirotaka discloses a schedule management system comprising:

a schedule server which stores schedules of participants and schedules of equipments reserved by ones of participants (see abstract, "portable information terminal"); and

a plurality of remote client devices operatively connected to schedule server, which allow client users to input schedules of participants and request an idle time retrieval from schedule server (see abstract, "external computer").

Hirotaka does not teach the degree of significance is provided to participants respectively so that schedules of participants are grouped in the order of degree of significance to thereby produce the idle time corresponding to degree of significance. However, Computer Product Update teaches scheduling package for groups of workers. Users can be grouped together and their calendars collectively searched to retrieve free time for the groups (see entire document). Hotaling teaches grouping the participant based the degree of significance (column 5, lines 19-35, critical and non-critical participants). Moreover, it is obvious that the process of retrieving an idle time common from one group as a retrieval condition for retrieving an idle time common for another group of plurality of groups will work the same as retrieves an idle time common from one person as a retrieval condition for retrieving an idle time common for another person of plurality of people, because one group may contain only one person. Therefore, it would have been obvious to improve the method of Hirotaka by combining the feature taught by Computer Product Update and Hotaling above for the purpose of time consuming, because the participants with the same degree of significant are grouped together to retrieve the common free time for the group, thus the process does not need to repeat many times for the participants having the same degree of significant.

Regarding to claim 15, Hirotaka in combining with Computer Product Update and Hotaling (see claim 10 above) teach schedule server comprises a communication controller (see abstract, "communication means 4) which provides registration for a

special group, and wherein idle time is retrieved so that at least one of participants and equipments in special group satisfies a retrieval condition for retrieving idle time.

Regarding to claims 16-17, Hirotaka in combining with Computer Product Update and Hotaling (see claim 10 above) teach schedule server further comprises a data access unit (see abstract, "external schedule access means 8) which accesses selected databases in accordance with instructions for retrieving the idle time common form plurality of groups.

Regarding to claim 11, Hirotaka discloses a schedule management system comprising:

a schedule server which stores schedules of participants and schedules of equipments reserved by ones of participants (see abstract, "portable information terminal"); and

a plurality of remote client devices operatively connected to schedule server, which allow client users to input schedules of participants and request an idle time retrieval from schedule server (see abstract, "external computer"), wherein schedule server comprises databases which store schedules of participants and schedules of equipments reserved by ones of participants (see abstract, "storage means 2"), and a multistagous idle time retrieval unit which retrieves an idle time common from one person as a retrieval condition for retrieving an idle time common for another person of plurality of people (see abstract, "the free time retrieval means 10").

Hirotaka does not teach the degree of significance is provided to participants respectively so that schedules of participants are grouped in the order of degree of significance to thereby produce the idle time corresponding to degree of significance. However, Computer Product Update teaches scheduling package for groups of workers. Users can be grouped together and their calendars collectively searched to retrieve free

time for the groups (see entire document). Hotaling teaches grouping the participant based the degree of significance (column 5, lines 19-35, critical and non-critical participants). Moreover, it is obvious that the process of retrieving an idle time common from one group as a retrieval condition for retrieving an idle time common for another group of plurality of groups will work the same as retrieves an idle time common from one person as a retrieval condition for retrieving an idle time common for another person of plurality of people, because one group may contain only one person. Therefore, it would have been obvious to improve the method of Hirotaka by combining the feature taught by Computer Product Update and Hotaling above for the purpose of time consuming, because the participants with the same degree of significant are grouped together to retrieve the common free time for the group, thus the process does not need to repeat many times for the participants having the same degree of significant.

Regarding to claim 18, Hirotaka in combining with Computer Product Update and Hotaling (see claim 11 above) teach schedule server comprises a communication controller which provides registration for a special group, and wherein idle time is retrieved so that at least one of participants and equipments in special group satisfies a retrieval condition for retrieving idle time (see abstract, "communication means 4").

Regarding to claims 19-20, Hirotaka in combining with Computer Product Update and Hotaling (see claim 11 above) teach schedule server further comprises a data access unit which accesses selected databases in accordance with instructions for retrieving the idle time common form plurality of groups (see abstract, "external schedule access means 8").

Regarding to claim 12, Hirotaka discloses a schedule retrieval method for retrieving a schedule, comprising: accepting a first conference-holding condition of schedule;

comparing one group in plurality of groups obtained to make a coincide result be a second conference-holding condition; comparing one of plurality of groups, which is not yet compared with any previous conference-holding, second conference-holding condition, and outputting a retrieval result obtained (see abstract).

Hirotaka does not teach the degree of significance is provided to participants respectively so that schedules of participants are grouped in the order of degree of significance to thereby produce the idle time corresponding to degree of significance. However, Computer Product Update teaches scheduling package for groups of workers. Users can be grouped together and their calendars collectively searched to retrieve free time for the groups (see entire document). Hotaling teaches grouping the participant based the degree of significance (column 5, lines 19-35, critical and non-critical participants). Moreover, it is obvious that the process of retrieving an idle time common from one group as a retrieval condition for retrieving an idle time common for another group of plurality of groups will work the same as retrieves an idle time common from one person as a retrieval condition for retrieving an idle time common for another person of plurality of people, because one group may contain only one person. Therefore, it would have been obvious to improve the method of Hirotaka by combining the feature taught by Computer Product Update and Hotaling above for the purpose of time consuming, because the participants with the same degree of significant are grouped together to retrieve the common free time for the group, thus the process does not need to repeat many times for the participants having the same degree of significant.

Regarding to claim 13, Hirotaka discloses a schedule server apparatus coupled to terminal apparatuses allocated to schedule-reserving persons and schedule-reserved persons through a communication line for retrieving idle time of a schedule, comprising:

communication control means for transmitting data to terminal apparatuses and for receiving data from terminal apparatuses (see abstract, "communication means 4"); and

retrieving means for dividing each of schedules registered for a plurality of people or a plurality of equipment into a plurality of groups and retrieving common idle time among plurality of groups (see abstract, the free time retrieval means 10").

Hirotaka does not teach the degree of significance is provided to participants respectively so that schedules of participants are grouped in the order of degree of significance to thereby produce the idle time corresponding to degree of significance. However, Computer Product Update teaches scheduling package for groups of workers. Users can be grouped together and their calendars collectively searched to retrieve free time for the groups (see entire document). Hotaling teaches grouping the participant based the degree of significance (column 5, lines 19-35, critical and non-critical participants). Moreover, it is obvious that the process of retrieving an idle time common from one group as a retrieval condition for retrieving an idle time common for another group of plurality of groups will work the same as retrieves an idle time common from one person as a retrieval condition for retrieving an idle time common for another person of plurality of people, because one group may contain only one person. Therefore, it would have been obvious to improve the method of Hirotaka by combining the feature taught by Computer Product Update and Hotaling above for the purpose of time consuming, because the participants with the same degree of significant are grouped together to retrieve the common free time for the group, thus the process does

not need to repeat many times for the participants having the same degree of significant.

Claim 14 is written in computer program that parallel limitations found in claim 12, therefore is rejected by the same rational.

Conclusion

5. Claims **10-20** are rejected.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nga B. Nguyen, whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 8:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough, can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

7. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks
c/o Technology Center 3600
Washington, D.C. 20231

or faxed to:

(703) 872-9326, (for formal communications intended for entry)

or:

(703) 308-3961 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

Nga B. Nguyen

Nga Nguyen

December 15, 2003